

**COOKEVILLE CITY COUNCIL
REGULAR MEETING
JUNE 17, 2010
6:00 P.M.**

The Council of the City of Cookeville met in regular session on Thursday, June 17, 2010, at 6:00 p.m., in the Municipal Building, 45 East Broad Street. Mayor Sallee announced a moment of silent prayer. Pledge of Allegiance was led by Mayor Sallee. Mayor Sallee then called the meeting to order and asked the Clerk to call the roll. Present and answering roll call were:

Mayor Sam Sallee
Vice-Mayor Jean Davis
Councilman Ricky Shelton

ABSENT: Councilman Alma Anderson
Councilman Ryan Williams

Also present: Jim Shipley, City Manager; Cathy McClain, City Clerk; and Dan Rader, City Attorney.

**CONSIDER APPROVAL OF
AGENDA AS PRESENTED**

Councilman Shelton made a motion, seconded by Vice-Mayor Davis, to amend the agenda by adding item #5a – Set a date (7-15-10) for a public hearing on Ordinance #O10-06-09, rezoning 1100 Old Cavalry Road (tax map 67-7.01) from RS20 (Single-Family Residential) to QM (Quarry & Mining). This item was denied by the Cookeville Planning Commission on 3-22-10. Upon call for a vote, the following voted aye:

Mayor Sam Sallee
Vice-Mayor Jean Davis
Councilman Ricky Shelton

ABSENT: Councilman Alma Anderson
Councilman Ryan Williams

The City Clerk announced that the motion carried.

OLD BUSINESS:

**CONSIDER APPROVAL OF
MINUTES OF COUNCIL
MEETING HELD ON 6-3-10**

Vice-Mayor Davis made a motion to dispense with the reading of the minutes and approve said minutes as submitted. The motion was seconded by Councilman Shelton. Upon call for a vote, the following voted aye:

Mayor Sam Sallee
Vice-Mayor Jean Davis
Councilman Ricky Shelton

ABSENT: Councilman Alma Anderson
Councilman Ryan Williams

The City Clerk announced that the motion carried.

**COOKEVILLE CITY COUNCIL
MINUTES
JUNE 17, 2010**

**CONSIDER ON SECOND AND
FINAL READING ORDINANCE
#O10-05-03, CLOSURE
AND ABANDONMENT OF
A PORTION OF MILL DRIVE
LOCATED ADJACENT TO
1498 WEST BROAD STREET
AND DECLARING THE
PROPERTY AS SURPLUS**

Councilman Shelton made a motion, seconded by Vice-Mayor Davis, to approve on second and final reading Ordinance #O10-05-03. Upon call for a vote, the following voted aye:

Mayor Sam Sallee
Vice-Mayor Jean Davis
Councilman Ricky Shelton

ABSENT: Councilman Alma Anderson
Councilman Ryan Williams

The City Clerk announced that the motion carried.

CONSENT AGENDA:

**CONSIDER PURCHASE OF
THREE (3) GLASS
RECYCLING BINS (SOLE
SOURCE PROVIDER) FOR
NEW RECYCLING SITE
ON 15TH STREET – PUBLIC
WORKS DEPARTMENT**

MEMORANDUM

TO: Jim Shipley
City Council Members

FROM: Greg Brown *GB*

DATE: June 9, 2010

SUBJ: June 17, 2010 City Council Agenda Item

Consider approving the following bid: ³ (S) Glass recycling bins. Fibrex Group is the sole source provider for glass recycling bins. \$7,870.50 + \$385.00 shipping = \$8,255.50

These will be used at the new recycling site on 15th Street.

**CONSIDER AWARDING BID FOR
TRANSFORMERS – ELECTRIC
DEPARTMENT**

**COOKEVILLE CITY COUNCIL
MINUTES
JUNE 17, 2010**

**CITY OF COOKEVILLE
ELECTRIC DEPT.
BID TABULATION SCHEDULE
BID NOTICE # 10052401**

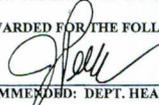
DATE OF BID OPENING: 6-8-2010
 BIDS OPENED BY: Glenn Greenwood
 BIDS WITNESSED BY: Jeff Dillardine
 DEPARTMENT: Electric

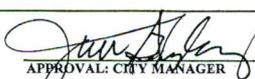
TIME: 2:00 PM CST

BIDDERS	QTY	50 Kva Csp Transformer 12	evaluated cost						
Stuart Irby		\$ 1,497.00	\$ 2,616.11						
		\$ 17,964.00							
Power Supply		\$ 1,260.00	\$ 2,308.76						
		\$ 15,120.00							
Deco		\$ 1,298.00							
		\$ 15,576.00	\$ 2,377.94						
Wesco		\$ 1,456.00							
		\$ 17,472.00	\$ 2,352.74						

WE, THE UNDERSIGNED DO HEREBY RECOMMEND THE BID FROM Power Supply

BE AWARDED FOR THE FOLLOWING REASON: low evaluated bid meeting specs.


 RECOMMENDED: DEPT. HEAD


 APPROVAL: CITY MANAGER

**SET A DATE (7-15-10) FOR A
PUBLIC HEARING ON
ORDINANCE #O10-06-09,
REZONING 1100 OLD CAVALRY
ROAD (TAX MAP 67-7.01) FROM
RS20 (SINGLE-FAMILY
RESIDENTIAL) TO QM (QUARRY
& MINING). THIS ITEM WAS
DENIED BY THE COOKEVILLE
PLANNING COMMISSION ON
3-22-10**

Councilman Shelton made a motion, seconded by Vice-Mayor Davis, to approve the consent agenda items as recommended. Upon call for a vote, the following voted aye:

Mayor Sam Sallee
 Vice-Mayor Jean Davis
 Councilman Ricky Shelton

ABSENT: Councilman Alma Anderson
 Councilman Ryan Williams

The City Clerk announced that the motion carried.

NEW BUSINESS:

**HOLD A PUBLIC HEARING AND
CONSIDER ON FIRST READING
ORDINANCE #O10-06-08,
AMENDING THE BUDGETS FOR
THE VARIOUS FUNDS/DEPTS.
OF THE CITY OF COOKEVILLE,
TN FOR THE FISCAL YEAR
ENDED 6-30-10**

**COOKEVILLE CITY COUNCIL
MINUTES
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Vice-Mayor Davis made a motion, seconded by Councilman Shelton, to approve on first reading Ordinance #O10-06-08. Upon call for a vote, the following voted aye:

Mayor Sam Sallee
Vice-Mayor Jean Davis
Councilman Ricky Shelton

ABSENT: Councilman Alma Anderson
Councilman Ryan Williams

The City Clerk announced that the motion carried.

**CONSIDER RESOLUTION #R10-06-04,
AUTHORIZING A CONTINUING
BUDGET FOR THE FISCAL YEAR
ENDED 6-30-11**

Councilman Shelton made a motion, seconded by Vice-Mayor Davis, to adopt Resolution #R10-06-04. Upon call for a vote, the following voted aye:

Mayor Sam Sallee
Vice-Mayor Jean Davis
Councilman Ricky Shelton

ABSENT: Councilman Alma Anderson
Councilman Ryan Williams

The City Clerk announced that the motion carried.

**CONSIDER AUTHORIZING THE
CITY MANAGER TO ACQUIRE
PROPERTIES BY NEGOTIATION
OR EMINENT DOMAIN
RELATIVE TO THE 7TH STREET
WIDENING PROJECT**



June 7, 2010

Mr. Jim Shipley, City Manager
City of Cookeville
45 E. Broad Street
Cookeville, TN 38501

Dear Mr. Shipley:

Over the past several years CRMC has made several attempts to negotiate purchase of the properties listed below at a fair market value, without success. Therefore, CRMC requests the City of Cookeville to exercise its authority of eminent domain in order to acquire said properties.

224 West 7th Street
228 West 7th Street
232 West 7th Street
238 West 7th Street

The Hospital needs additional parking for use by the Rehabilitation Center. Additionally these properties will be necessary in the future when CRMC has a need to expand the Rehabilitation Center.

Acquiring these properties will also greatly benefit the City's desire to expand 7th Street. Since the city would need to acquire either by purchase or eminent domain a portion of each property for purposes of expanding 7th street, it would serve both the interests of the City and the Hospital if each of the entire properties were acquired by the City.

As these acquisitions will require a considerable financial obligation for the Hospital, I trust the City will consider this as we continue to discuss the possible increase to our in lieu of tax obligation. I am sure you recognize that our acquisition of these properties will relieve the City of the cost of acquiring the necessary right of way for the expansion of 7th Street.

Thank you for your continued support of CRMC.

Sincerely yours,


Bernard Mattingly
Chief Executive Officer

**COOKEVILLE CITY COUNCIL
MINUTES
JUNE 17, 2010**

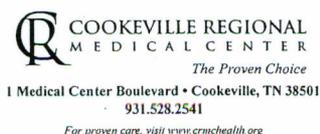
Vice-Mayor Davis made a motion, seconded by Councilman Shelton, to authorize the City Manager to acquire properties for the 7th Street widening project as requested. Upon call for a vote, the following voted aye:

Mayor Sam Sallee
Vice-Mayor Jean Davis
Councilman Ricky Shelton

ABSENT: Councilman Alma Anderson
Councilman Ryan Williams

The City Clerk announced that the motion carried.

**CONSIDER APPROVAL OF THE
RENOVATION AND EXPANSION
OF THE WHITNEY BUILDING
LOCATED AT 438 NORTH
WHITNEY AVENUE ON A
NOT TO EXCEED BASIS
OF \$290,000**



June 4, 2010

Mr. Jim Shipley, City Manager
City of Cookeville
45 E. Broad Street
Cookeville, TN 38501

RE: Request for Approval: Renovation of Facilities

Dear Mr. Shipley:

The purpose of my letter is to request the following subject be placed on the agenda for the next City Council meeting scheduled for Thursday, June 17, 2010.

The Board of Trustees of Cookeville Regional Medical Center respectfully requests approval for the renovation and expansion of the Whitney Building located at 438 North Whitney Avenue on a not to exceed basis of \$290,000 to be paid out of operations.

Modification to the facility are necessary to relocate all Gastroenterologists to this central location. Approval of this project will greatly assist CRMC to fulfill its mission of providing Gastroenterologists for our community and region.

Thank you for your assistance with this matter.

Sincerely,


Bernie Mattingly
Chief Executive Officer

Vice-Mayor Davis made a motion, seconded by Councilman Shelton, to approve the renovation & expansion of the Whitney Building for a cost of not to exceed \$290,000 as requested. Upon call for a vote, the following voted aye:

Mayor Sam Sallee
Vice-Mayor Jean Davis
Councilman Ricky Shelton

ABSENT: Councilman Alma Anderson
Councilman Ryan Williams

The City Clerk announced that the motion carried.

**COOKEVILLE CITY COUNCIL
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**CONSIDER APPOINTMENT
TO THE COOKEVILLE
REGIONAL MEDICAL
CENTER BOARD OF
TRUSTEES**



June 3, 2010

Jim Shipley, City Manager
City of Cookeville
45 East Broad Street
Cookeville, TN 38501

Dear ^{Mr.} ~~Councilman~~ Shipley;

The Medical Staff of Cookeville Regional Medical Center, at its most recent meeting, selected Dr. Jeff Gleason to fill the physician's seat on the hospital Board of Trustees. On behalf of the Medical Staff, I would ask that you support us in this matter and appoint Dr. Gleason to the Board of Trustees. (Due to Dr. Doug Dycus term expiring)

Dr. Gleason has served on many committees and provided exemplary leadership. He has demonstrated an understanding of issues facing both the hospital and the Medical Staff. He has earned the respect of his colleagues and the patients he serves. We believe that he will be an excellent source of information for the Board of Trustees and provide excellent leadership as we move forward in these uncertain times. Thank you for your help and support in this matter.

Sincerely,

Timothy R. Collins, MD, FACS
President of the Medical Staff
Cookeville Regional Medical Center

Mayor Sallee made a motion, seconded by Councilman Shelton, to appoint Dr. Jeff Gleason to the Cookeville Regional Medical Center Board of Trustees as recommended. Upon call for a vote, the following voted aye:

Mayor Sam Sallee
Vice-Mayor Jean Davis
Councilman Ricky Shelton

ABSENT: Councilman Alma Anderson
Councilman Ryan Williams

The City Clerk announced that the motion carried.

**CONSIDER APPROVAL OF
SEWER LINE COST SHARE
AGREEMENT WITH
HUDDLESTON/OAKLEY
DEVELOPERS**

MEMORANDUM

TO: City Council
City Manager

FROM: Ronnie J. Kelly *RJK*
Director

DATE: June 10, 2010

SUBJ: Sewer Line Cost-Share Agreement

During the next City Council meeting I will be presenting a sewer line cost-sharing agreement with Developer Tim Huddleston and R. L. Oakley, Jr. The Developers intend to develop a piece of property adjacent to McCulley Road near the Burton Subdivision. We have developed a cost sharing agreement whereas the developer as agreed to share in the cost of the sewer trunk line improvements. I have included a copy of this agreement for your review and will discuss the details during the City Council meeting.

If you have any questions concerning this matter please feel free to give me a call.

**COOKEVILLE CITY COUNCIL
MINUTES
JUNE 17, 2010**

Councilman Shelton made a motion, seconded by Vice-Mayor Davis, to approve the sewer line cost share agreement with Huddleston/Oakley developers as requested. Upon call for a vote, the following voted aye:

Mayor Sam Sallee
Vice-Mayor Jean Davis
Councilman Ricky Shelton

ABSENT: Councilman Alma Anderson
Councilman Ryan Williams

The City Clerk announced that the motion carried.

**CONSIDER APPROVAL OF
SEWER LINE COST SHARE
AGREEMENT WITH DONNY
MEADOWS DEVELOPER**

MEMORANDUM

TO: City Council
City Manager

FROM: Ronnie J. Kelly 
Director

DATE: June 10, 2010

SUBJ: Sewer Line Cost-Share Agreement

During the next City Council meeting I will be presenting a sewer line cost-sharing agreement with Developer Donny Meadows. The Developer intends to develop a piece of property off of East Spring Street and adjacent to Burton Lane. We have developed a cost sharing agreement whereas the developer as agreed to share in the cost of the sewer trunk line improvements. I have included a copy of this agreement for your review and will discuss the details during the City Council meeting.

If you have any questions concerning this matter please feel free to give me a call.

Vice-Mayor Davis made a motion, seconded by Councilman Shelton, to approve the sewer line cost share agreement with Donny Meadows developer as requested. Upon call for a vote, the following voted aye:

Mayor Sam Sallee
Vice-Mayor Jean Davis
Councilman Ricky Shelton

ABSENT: Councilman Alma Anderson
Councilman Ryan Williams

The City Clerk announced that the motion carried.

**CONSIDER AUTHORIZING THE
CITY MANAGER TO ENTER
INTO AN ENGINEERING
CONTRACT WITH CLINTON
ENGINEERING RELATIVE
TO MCCULLEY ROAD/
BURTON SUBDIVISION
SEWER IMPROVEMENTS**

**COOKEVILLE CITY COUNCIL
MINUTES
JUNE 17, 2010**

MEMORANDUM

TO: City Council
City Manager

FROM: Ronnie J. Kelly, Director *RJK*

DATE: June 10, 2010

SUBJ: Engineering Contract – McCulley Road/Burton Subdivision
Sanitary Sewer Line Improvements

During the next City Council meeting I will be seeking authorization for the City Manager to enter into an engineering contract with Clinton Engineering to design sanitary sewer line improvements in the McCulley Road/Burton Subdivision area.

The project consists of designing approximately 17,300 feet of new gravity sewer line to serve the homes in the McCulley Road/Burton Subdivision area and connecting to an existing sanitary sewer trunk line. The contract will provide our department with survey, sanitary sewer design, easement descriptions, construction plans and specifications, erosion control plans and SWPPP preparation, as-built plans, and the design for widening McCulley Road from Rockwell Dr. to the proposed development entrance. We have negotiated a lump sum price of \$81,000 and would recommend approval.

If you have any questions or comments please feel free to give me a call.

Councilman Shelton made a motion, seconded by Vice-Mayor Davis, to authorize the City Manager to enter into an engineering contract for the McCulley Road/Burton Subdivision Sewer Improvements as requested. Upon call for a vote, the following voted aye:

Mayor Sam Sallee
Vice-Mayor Jean Davis
Councilman Ricky Shelton

ABSENT: Councilman Alma Anderson
Councilman Ryan Williams

The City Clerk announced that the motion carried.

**CONSIDER AUTHORIZING THE
CITY MANAGER TO ACQUIRE
PROPERTY BY NEGOTIATION
OR EMINENT DOMAIN
PURSUANT TO THE
PROPOSED MCCULLEY
ROAD/BURTON
SUBDIVISION SEWER
PROJECT**

MEMORANDUM

TO: City Council
City Manager

FROM: Ronnie J. Kelly, Director *RJK*

DATE: June 10, 2010

SUBJ: McCulley Road/Burton Sub. Property/Easement Acquisition

During the next City Council meeting I will be presenting a request for the City Council to authorize the City Manager to acquire property, either through negotiation or condemnation, pursuant to construction of sewer line facilities associated with the McCulley Road/Burton Subdivision sewer project.

If you have any questions concerning this matter please give me a call.

**COOKEVILLE CITY COUNCIL
MINUTES
JUNE 17, 2010**

Vice-Mayor Davis made a motion, seconded by Councilman Shelton, to authorize the City Manager to acquire property for the McCulley Road/Burton Subdivision Sewer Project as requested. Upon call for a vote, the following voted aye:

Mayor Sam Sallee
Vice-Mayor Jean Davis
Councilman Ricky Shelton

ABSENT: Councilman Alma Anderson
Councilman Ryan Williams

The City Clerk announced that the motion carried.

**CONSIDER EXTENSION OF
LEAK DETECTION
SERVICES CONTRACT**

MEMORANDUM

TO: City Manager
City Council

FROM: Ronnie J. Kelly, Director *RSK*

DATE: June 10, 2010

SUBJ: Leak Detection Services

During February of this year our department took price proposals to perform leak detection services on a portion of the water distribution system. The low price proposal was approved by the City Council during the February 18th City Council Meeting.

We have included additional funds in our proposed budget to complete the remainder of the water distribution system. Richards LMC, the low approved price proposal, has agreed to maintain their current pricing per surveyed mile if we do the remainder of our system this fall. We estimate that there are approximately 218 miles of water line remaining. The estimated cost to survey the remaining system would be approximately \$25,000.

It is my recommendation that the Richards LMC price per surveyed mile of \$110 be approved for the remainder of our distribution system. This survey would start sometime in the late summer/early fall time frame.

If you have any questions concerning this item I would be happy to sit down with you and discuss the item. Please give me a call if you would like to sit up a time to discuss this item.

Councilman Shelton made a motion, seconded by Vice-Mayor Davis, to approve the extension of the leak detection services contract as recommended. Upon call for a vote, the following voted aye:

Mayor Sam Sallee
Vice-Mayor Jean Davis
Councilman Ricky Shelton

ABSENT: Councilman Alma Anderson
Councilman Ryan Williams

The City Clerk announced that the motion carried.

**CONSIDER DECLARING AS
SURPLUS FIVE (5) HECKLER
AND KOCH 9MM
SUBMACHINE GUNS –
POLICE DEPARTMENT**

**COOKEVILLE CITY COUNCIL
MINUTES
JUNE 17, 2010**

Memorandum

To: Jim Shipley, City Manager
 From: Robert Terry, Chief of Police
 Date: June 9, 2010
 Re: Surplus Weapons

As you know, we are actively attempting to complete our patrol rifle program. One of the objectives of the program is to standardize our rifle inventory to the .223 caliber. Therefore, I am requesting that our (5) Heckler and Koch MP5 9mm submachine guns be declared surplus. These rifles will be traded to a Class III dealer for rifle conversion parts giving us the capability of issuing seven more .223 rifles. The MP5s are nontransferable and must be sold to a Class III dealer. Ultimately, the rifles will be sold to another law enforcement agency.

Vice-Mayor Davis made a motion, seconded by Councilman Shelton, to declare as surplus the Heckler & Koch guns as recommended. Upon call for a vote, the following voted aye:

Mayor Sam Sallee
 Vice-Mayor Jean Davis
 Councilman Ricky Shelton

ABSENT: Councilman Alma Anderson
 Councilman Ryan Williams

The City Clerk announced that the motion carried.

**CONSIDER AWARDING BID FOR
TRACKER – POLICE DEPARTMENT**

CITY OF COOKEVILLE
 BID TABULATION SCHEDULE
 TRACKER (COVERT)

DATE OF BID OPENING: 4-12-10 TIME: 10:00 A.M.
 BIDS OPENED BY: BRENT ANDERSON
 BIDS WITNESSED BY: CATHY MCCLAIN, CITY CLERK
 DEPARTMENT: POLICE

BIDDERS	1 UNIT					
COLEMAN TECHNOLOGIES	\$7,995.00	(PURCHASE WITH DRUG FUND MONEY)				
		+\$20.00 FOR SHIPPING	= TOTAL BID	\$8,015.00		

WE, THE UNDERSIGNED, DO HEREBY RECOMMEND THE BID FROM COLEMAN TECHNOLOGIES BE AWARDED FOR THE FOLLOWING REASON: ONLY BIDDER - MEETS SPECIFICATIONS

RECOMMENDED: DEPT. HEAD [Signature]
 APPROVAL: CITY MANAGER [Signature]
 BUDGET AVAILABILITY: FINANCE DIRECTOR [Signature]

**COOKEVILLE CITY COUNCIL
MINUTES
JUNE 17, 2010**

Councilman Shelton made a motion, seconded by Vice-Mayor Davis, to award the tracker bid as recommended. Upon call for a vote, the following voted aye:

Mayor Sam Sallee
Vice-Mayor Jean Davis
Councilman Ricky Shelton

ABSENT: Councilman Alma Anderson
Councilman Ryan Williams

The City Clerk announced that the motion carried.

**CONSIDER AWARDING BID FOR
TASERS – POLICE DEPARTMENT**

CITY OF COOKEVILLE
BID TABULATION SCHEDULE

TASERS

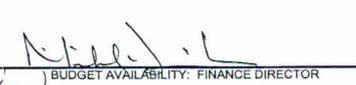
DATE OF BID OPENING: N/A
BIDS OPENED BY: N/A
BIDS WITNESSED BY: N/A
DEPARTMENT: Police

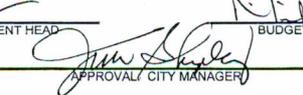
BIDDERS			
	Taser	Number Ordered	Total Amount
Gulf States Distributors	TA26012 X26 w/XDPM Battery \$814.95	22	\$17,928.90

(PURCHASE WITH DRUG FUND MONEY)

Gulf States Distributors is a single-source vendor for TASER International for the Southeastern United States.


RECOMMENDED: DEPARTMENT HEAD


BUDGET AVAILABILITY: FINANCE DIRECTOR


APPROVAL: CITY MANAGER

Vice-Mayor Davis made a motion, seconded by Councilman Shelton, to award the taser bid as recommended. Upon call for a vote, the following voted aye:

Mayor Sam Sallee
Vice-Mayor Jean Davis
Councilman Ricky Shelton

ABSENT: Councilman Alma Anderson
Councilman Ryan Williams

The City Clerk announced that the motion carried.

HEARING OF CITIZENS AND/OR DELEGATIONS:

There being no further business to discuss, Vice-Mayor Davis made a motion, seconded by Councilman Shelton, to adjourn the meeting at 6:50 p.m. Upon call for a vote, the following voted aye:

Mayor Sam Sallee
Vice-Mayor Jean Davis
Councilman Ricky Shelton

ABSENT: Councilman Alma Anderson
Councilman Ryan Williams

The City Clerk announced that the motion carried.

Sam Sallee, Mayor

ATTEST:

Cathy McClain, City Clerk